

# CHAPTER 1 PURPOSE AND NEED

## 1.1 INTRODUCTION

In 1987, a major deposit of Paleozoic Era fossil footprints and trace fossils trackways were discovered in the Robledo Mountains in southern New Mexico. The deposit contains imprints of tracks, tail drags, burrows, and body impressions of numerous amphibians, reptiles, and insects (including previously unknown species), as well as impressions of plants and petrified wood that date to approximately 280 million years ago. Together, these types of fossils are known as ichnofossils. Ichnofossils are fossilized traces of actions and behaviors; they may include footprints, burrow casts, and body impressions. These paleontological resources collectively provide new opportunities to understand animal behaviors and environments from a time predating the dinosaurs. The area is located in the Bureau of Land Management (BLM) New Mexico Las Cruces District Office and covered by management outlined in the Mimbres Resource Management Plan (RMP) (BLM 1993). In 1990, Senator Jeff Bingaman and Congressman Joe Skeen introduced the Prehistoric Trackways Study Legislation (S. 2684 and H.R. 4945). In 1993, the legislation passed which led the BLM to contract with the Smithsonian Institution and the New Mexico Museum of Natural History and Science to conduct a study and prepare a report on the significance of the trackways discovery. The report states:

*...evaluation indicates the Robledo Mountains tracksites are the most scientifically significant Early Permian tracksites known. The diversity, abundance and quality of the tracks in the Robledo Mountains is far greater than at any other known tracksites or aggregation of tracksites. Because of this, the Robledo tracks allow a wide range of scientific problems regarding late Paleozoic tracks to be solved that could not be solved before. (Lucas, Hunt, and Hotton III 1994)*

In 2008, Senator Bingaman introduced legislation to designate an area of public land in the southern Robledo Mountains as a National Monument . . . “*in order to conserve, protect, and enhance the unique and nationally important paleontological, scientific, educational, scenic, and recreational resources and values of the public land....*” The legislation was passed as part of the Omnibus Public Land Management Act of 2009 (the Act or Legislation) and designated 5,280 acres as the Prehistoric Trackways National Monument (PTNM or Monument) administered by the BLM. The Act as it pertains to PTNM is reprinted in Appendix A. This Legislation directs the BLM to develop a comprehensive management plan specifically for the Monument.

This land use plan provides direction for the Prehistoric Trackways National Monument consistent with the designating legislation and manages its resources using scientific principles and expertise. The BLM developed a Draft Resource Management Plan and Environmental Impact statement (RMP/EIS) to analyze and consider measures to ensure that resources, objects and values are conserved, protected, and restored. This *Proposed RMP/Final EIS* will become the basis for every on-the-ground action the BLM undertakes in the Monument.

This *Proposed RMP/Final EIS* describes four alternative management strategies, identifies the potential impacts of implementation of the alternatives, and outlines the appropriate measures to mitigate those impacts. The EIS analyzes and documents the direct, indirect, and cumulative impacts of the reasonably foreseeable future actions resulting from the BLM’s management decisions. These impacts must be analyzed before BLM allocates public land resources and the RMP/EIS satisfies the requirements of the National Environmental Policy Act of 1969 (NEPA), Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508), Federal Land Policy and Management Act (FLPMA), the Paleontological Resources Preservation Act (PRPA) and other associated regulations.

## 1.2 DESCRIPTION OF THE MONUMENT AND ANALYSIS AREA

The Monument is located in the southern third of the Robledo Mountains and is approximately 10 miles northwest of the City of Las Cruces in Doña Ana County, New Mexico (see Map 1-1). The Robledo Mountains are a north-south trending fault-block located northwest of Las Cruces. Elevation varies from 5,876 feet on Robledo Mountain to about 4,100 feet at the southern end. The area is characterized by an arid, continental climate with mild winters and warm-to-hot summers. Summer daytime temperatures often exceed 100° F. Average annual precipitation is slightly less than 9 inches; however wide variations in both temperature and precipitation are not uncommon.

Vegetation in the Monument is sparse, dominated by grasses and Chihuahuan Desert shrub species. A few juniper trees are scattered, primarily along north slopes and arroyos. Shrubs include mesquite, yucca, whitethorn acacia, creosote, and mimosa, with scattered agaves and various cacti.

Wildlife of the Monument is typical of the Chihuahuan Desert, but also includes species that may be found along the Rio Grande and the nearby farming areas in the Mesilla Valley. Species that may be found within the Monument include side-blotched lizards and marbled whiptail lizards, mule deer, black-tailed jackrabbits, desert cottontails, and spotted ground squirrels. Common birds include mourning dove, Northern Harrier, Swainson's hawk, red-tailed hawk, Chihuahuan raven, greater roadrunner, mockingbird, scaled quail, and Gambel's quail.

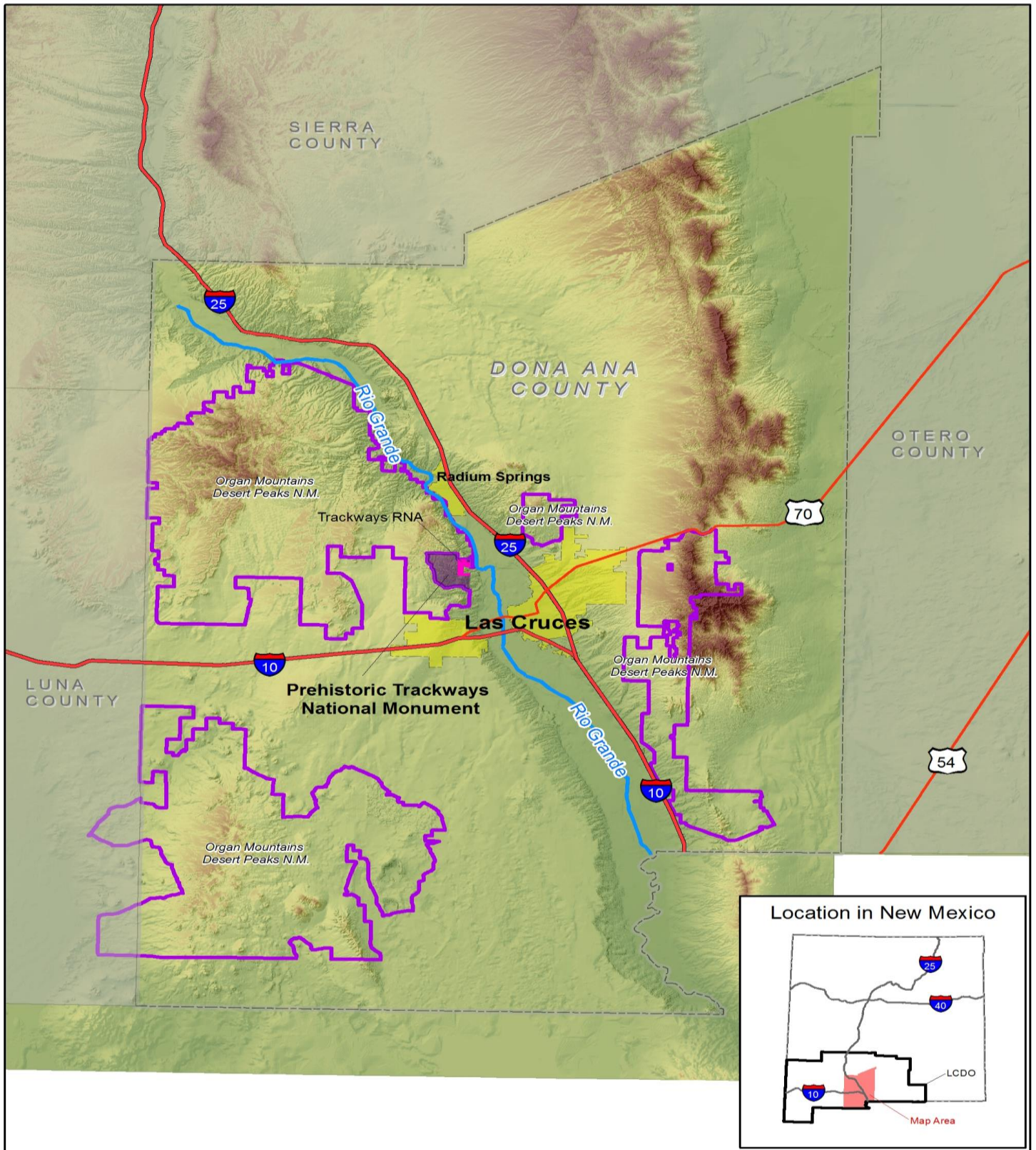
Prior to designation, a portion of the Monument was managed by the BLM as the Paleozoic Trackways Research Natural Area (RNA), as designated by the *Mimbres RMP* (BLM 1993). The management goals of the Paleozoic Trackways RNA were to protect, research, and interpret paleontological resources (Map 1-2). The Robledo Mountains Area of Critical Environmental Concern (ACEC) was designated to protect paleontological and scenic resources in the *Mimbres RMP* as well. A portion of the ACEC (789 acres) is within the Monument. The ACEC boundary and the Robledo Mountains Wilderness Study Area (WSA) boundary overlap (Map 1-2). The Robledo Mountains WSA was recommended in 1980 and since that time, the BLM has managed the area to preserve its wilderness character (BLM 1980).

The Robledo Mountains are used for many types of recreation, including hiking, mountain biking, fossil and rock collecting, hunting, horseback riding, camping, target shooting and off-highway vehicle (OHV) use. A system of designated OHV trails was authorized in 1997. The Robledo Mountains Off-Highway Vehicle Trails are used almost daily by casual OHV enthusiasts. The annual Chile Challenge OHV event has been permitted through the BLM Special Recreation Program for the past 16 years. This is a Nationally-recognized “*rock-crawling*” activity that attracts both regional and international participants.

In the Omnibus Lands Act, the acreage of the Monument is stated as 5,280. However, the acreage calculated using the BLM's Geographic Information System (GIS), which allows production of maps and analysis based on digitized satellite imagery shows a smaller acreage area of 5,255 acres. Because the acreage difference is relatively insignificant in comparison to the level of effort required to reconcile the data precisely, the BLM Planning Team has elected to use the GIS figures throughout the analysis. These differences are not large enough to change the outcome of the analysis.

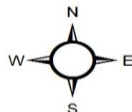
The designating Legislation states: “*If additional paleontological resources are discovered on public land adjacent to the Monument after the date of enactment of this Act, the Secretary may make minor boundary adjustments to the Monument to include the resources in the Monument.*” If public land is added to the Monument, it will be administered following the same management decisions resulting from this document.

# Map 1-1 - Regional Map



No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data, or for purposes not intended by the BLM. Spatial information may not meet National Map Accuracy Standards. This information is subject to change without notification.

BLM GIS  
Las Cruces District Office



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Projection: UTM, Zone 13  
Datum: NAD 1983

The **Planning Area** is the area for which decisions made in this RMP will apply. The Planning Area consists of 5,255 acres of Federal surface estate and 4,886 acres of Federal subsurface estate, designated as the PTNM (see Map 1-2).

The term **Analysis Area** is used for some resources and resource use discussions outside the Planning Area. The Analysis Area, Doña Ana County, includes public, private, and other government lands, and consists of 2,436,595 acres.

### 1.3 PURPOSE AND NEED FOR THE ACTION

The enabling Legislation established the need for the PTNM RMP/EIS, which requires that “*Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term protection and management of the Monument... The management plan shall describe the appropriate uses and management of the Monument, consistent with the provisions of the legislation.*” The purpose of the Monument RMP is to address resource management and public uses within the Monument as prescribed by the Legislation, including:

- Manage the Monument in a manner that conserves, protects, and enhances the paleontological, scientific, educational, scenic, and recreational resources and values of the Monument.
- The Secretary shall provide for public interpretation of, and education and scientific research on, the paleontological resources of the Monument, (with priority given to exhibiting and curating the resources in Doña Ana County, New Mexico).
- The use of motorized vehicles in the Monument shall be allowed only on roads and trails designated for use by motorized vehicles under the RMP.
- The Secretary may issue permits for special recreation events involving motorized vehicles within the boundaries of the Monument to the extent the events do not harm paleontological resources, and subject to any terms and conditions that the Secretary determines to be necessary.

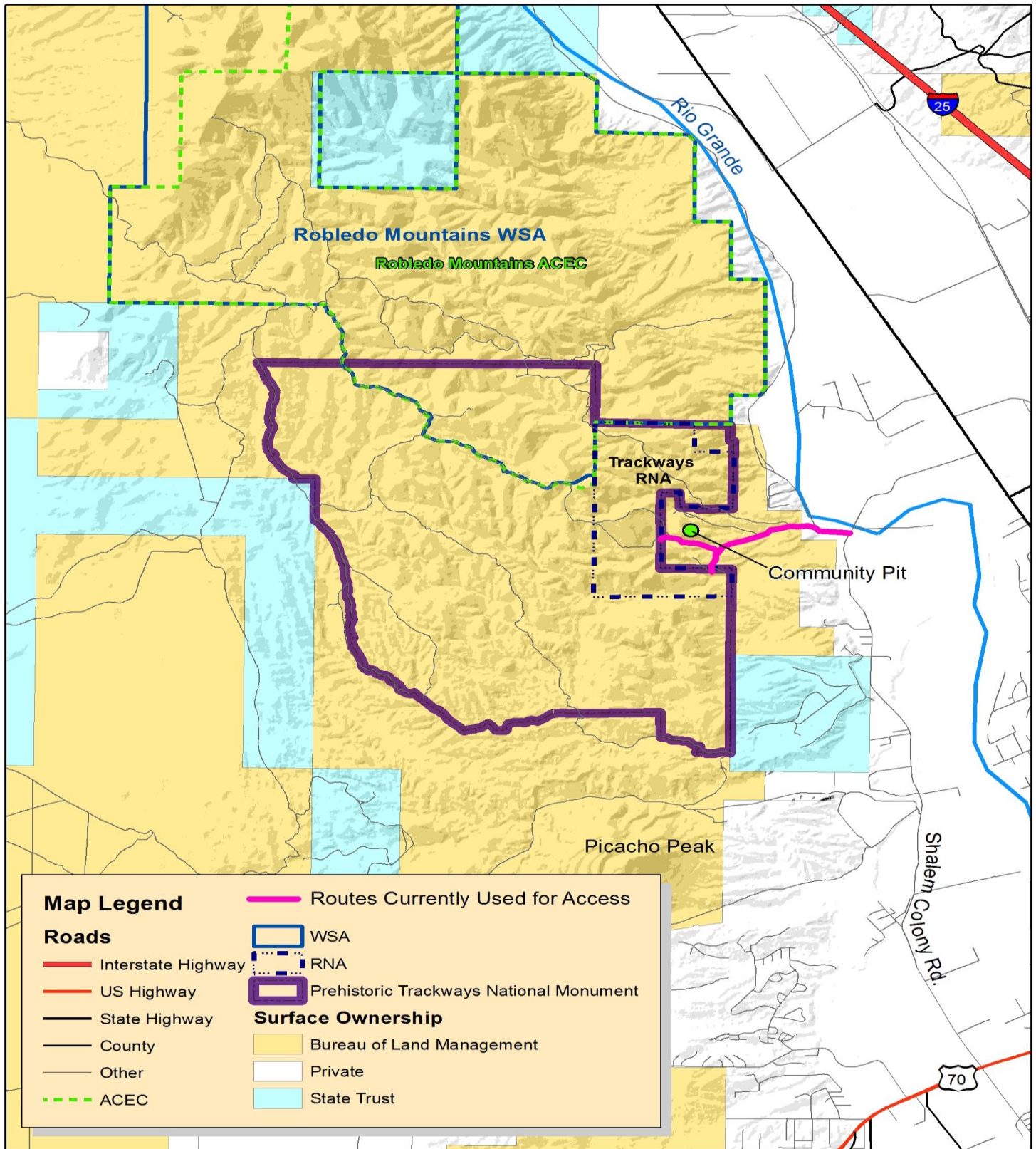
### 1.4 SCOPING AND PLANNING ISSUES

The process for developing an RMP begins with the identification of planning issues (40 CFR 1502.7 and 43 CFR 1610.4-1). Issues are areas of conflict or controversy between uses and management activities for a given area of public land that must be resolved in the RMP. The agency also addresses environmental and management concerns in order to provide comprehensive management guidance for all resources within the Monument and to satisfy legal requirements.

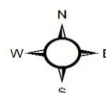
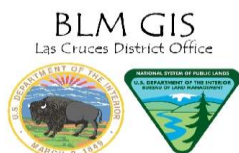
BLM specialists and the public identified planning issues during internal and public scoping. The BLM then refined the preliminary planning issues and determined which issues would be carried forward.



# Map 1-2 - Prehistoric Trackways National Monument



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Datum: NAD 1983

#### 1.4.1 Issues Addressed

##### **Paleontological Research and Protection**

*How will management actions address the legislative mandate of providing for resource protection and research of paleontological resources?*

*How will the management prescriptions address site protection and resource mitigation?*

The paleontological resources of the Monument provide information and insight into the Permian Era. Research of the paleontological resources has increased the knowledge of the Permian Era environment and life forms that existed during this interval of geologic history. This research has also provided the BLM with information for public educational and interpretive materials.

The BLM has entered into a partnership with the New Mexico Museum of Natural History & Science (NMMNHS) to collect, record locality data, curate, research, publish, and provide educational materials relating to the paleontological resources discovered in what is now the PTNM. The NMMNHS continues to publish scientific information regarding the fossils of the Robledo Mountains through scientific journals. The NMMNHS is in the process of finalizing a report for the BLM that provides recommendations for the management of paleontological resources within the PTNM. The NMMNHS has also provided several trackways specimens through a long-term loan that are currently on exhibit at the Las Cruces Museum of Nature and Science.

##### **Interpretation and Education**

*How will the management actions address the legislative mandate of providing for public interpretation of, and education and scientific research on, the paleontological resources of the Monument, with priority given to exhibiting and curating the resources in Doña Ana County?*

*What types of education and interpretation are best suited to protection of fossils? Onsite? Off-site?*

Since the designation of the Monument in 2009, the BLM has initiated education and interpretation activities. Park rangers regularly give programs for community groups and partnering agencies, host an annual K-5 paleontology day camp, visit classrooms, host field trips, and give guided hikes to the public. The PTNM is a BLM Hands on the Land Site – a National network of outdoor classrooms on public land. The Monument has a K-8 curriculum and school kit for in-classroom and field trip activities. There are two traveling trunk exhibits that are stationed in visitor centers around Las Cruces. In 2009, the BLM partnered with the NMMNHS, the Smithsonian’s National Museum of Natural History and New Mexico State University’s Creative Media Institute to make 10 podcasts in which scientists explain the scientific significance of the Trackways. As the on-site educational and interpretive programs expand, facilities such as trails with wayside interpretive exhibits may be needed.

The BLM has entered into a partnership with the City of Las Cruces Museums and assisted in developing the trackways exhibits for their new Museum of Nature and Science. The theme of the new museum is “Trackways to Space” and the centerpiece exhibit is a large sandstone trackway segment that includes ichnofossils from a number of Permian species. There are several other exhibits that also interpret various aspects of the trackways and the Monument. This museum now serves as the primary gateway to educating the public on the resources of the Monument; future plans may include educational presentations and guided tours of the Monument.

## **Travel and Access**

*How can the BLM manage access to the Monument while protecting the resources?*

Within the Monument are 37.6 miles of primitive roads. Most of these primitive roads were created in conjunction with the Robledo Off-Highway Vehicle Trails, and they usually follow drainage bottoms. There are portions of some primitive roads that follow along prominent ridge lines. As primitive roads, these are not maintained and do not adhere to any BLM prescription for construction. Although these routes function as the primary vehicle access to the majority of the Monument, travel is limited to high clearance, 4-wheel drive vehicles. Technically, there are a variety of access points to the Monument. Many of these “casual use” access routes cross private or State trust lands.

Appendix C includes a Comprehensive Trails and Travel Management Plan that identified public land within the Monument as Open, Limited, or Closed to Off-Highway Vehicle Use. The Comprehensive Trails and Travel Management Plan also includes implementation decisions of designating routes and allowable uses in areas identified as limited to designated routes.

## **Recreation**

*How will the BLM manage conflicts between motorized use and protection of Monument resources, objects, and values?*

*How will the BLM manage requests for special recreation permits?*

*How will the management actions address other various recreation opportunities such as camping, shooting, and fossil hunting while protecting Monument resources, objects, and values?*

*What opportunities will be available for visitor services and facilities?*

The Monument is currently used for a wide variety of recreation. Mountain biking, hiking, OHV (including all-terrain vehicles, motorcycles, and full size 4-wheel drive vehicles), hunters, and visitors in search of a rugged, scenic experience, and naturalists hoping to glimpse evidence of a prehistoric environment all find a destination in the Monument. Some activities are no longer compatible with the legislative mandate for Monument management. Casual collection of fossilized material may disturb geologic formations that host significant Permian Age ichnofossil, and motorized activities may adversely affect fossils that are exposed within the vehicle footprint. These types of recreational opportunities may need to be monitored, restricted, or prohibited in order to adequately ensure the integrity of the fossil resources.

## **Wildlife, Livestock, and Vegetation**

*What management actions will protect wildlife and wildlife habitat?*

*How will livestock grazing be addressed within the Monument?*

*How will management of vegetative communities be addressed in the Monument?*

Management must consider the potential impacts to wildlife and vegetation. Livestock grazing may continue (see Appendix A, page A-4), but the BLM must consider its potential impacts on the important paleontological resources.

## Visual Resources

*How will the BLM manage threats to scenic quality within the boundaries of the Monument?*

The visual resources within the Monument must be considered while making management decisions.

## Socio-economics

*How will management actions impact economic and social opportunities in the community?*

The Monument designation and management can impact economic and social opportunities for the local community through tourism, recreational opportunities, and livestock grazing. These impacts must be considered when analyzing the management alternatives.

### 1.4.2 Issues Considered but Not Further Analyzed

During public scoping, the BLM received comments that referred to implementation decisions made through administrative or resource program guidance and do not require land use planning decisions in order to be resolved:

- Comments urging the BLM to organize or support a volunteer or advisory group for the Monument are documented in the Scoping Report, but will not be addressed in the RMP/EIS. Such actions can be resolved through administration or policy action. The BLM is committed to coordinating and collaborating with local groups, clubs, educational institutions, and agencies to protect and promote the resources of the Monument.
- A management concern for the BLM is the possibility of new legislation that would change the Monument boundary. The existing Legislation allows the Secretary of the Interior to make minor boundary adjustments to the Monument if additional paleontological resources are discovered on public land adjacent to the Monument. The Secretary of the Interior has the authority to make these adjustments independent of the RMP/EIS process. If additional lands are added to the Monument at a later date, these lands will be managed in accordance with the management decisions made in this RMP/EIS.
- Actions regarding the adjacent Community Pit #1 are beyond the scope of the RMP because the Community Pit #1 is outside the RMP Planning Area (Map 1-2). However, cumulative impacts from the actions taken in Community Pit #1 will be addressed in the RMP/EIS.

## 1.5 PLANNING CRITERIA/LEGISLATIVE CONSTRAINTS

The BLM's land use planning guidance (Handbook H-1601-1) states that planning criteria are the constraints or ground rules that guide and direct the development of the RMP. The RMP planning criteria tailor the document to the identified issues and ensure that unnecessary data collection and analyses are avoided. Planning criteria for the PTNM RMP/EIS are as follows:

- The RMP will be consistent with the FLPMA, NEPA, *New Mexico Standards and Guidelines for Livestock Grazing Management* (2001), the *Omnibus Public Land Management Act of 2009-Paleontological Resources Preservation* (16 USC 470aaa et seq.), and all other applicable laws, regulations, and policies (Appendix B).



- The RMP will be consistent with *the Omnibus Public Land Management Act of 2009* (Appendix A), FLPMA, NEPA, and all other applicable laws, regulations, and policies.
- The RMP will be in compliance with the BLM *National Monuments, National Conservation Areas, and Similar Designations Manual 6220*.
- The RMP will comply with the BLM *Management of Paleontological Resources 8270 Manual and Handbook* and all applicable Instruction Memorandums (IMs):
  - 2012-140 Collecting Paleontological Resources Under the Paleontological Resources Preservation Act of 2009
  - 2012-141 Confidentiality of Paleontological Locality Information Under the Omnibus Public Lands Act of 2009, Title VI, Subtitle D on Paleontological Resources Preservation
  - 2009-011 Assessment and Mitigation of Potential Impacts to Paleontological Resources
  - 2009-113 Casual Collecting of Common Invertebrate and Plant Paleontological Resources under the Paleontological Resources Preservation Act of 2009
  - 2009-138 Confidentiality of Paleontological Locality Information under the Omnibus Public Lands Act of 2009
  - 2008-009 Potential Fossil Yield Classification System for Paleontological Resources on Public Lands
- Land use decisions will apply to the surface and subsurface estate managed by the BLM.
- For program-specific guidance for decisions at the land use planning level, the process will follow the BLM's policies in the *Land Use Planning Handbook, H-1601*.
- BLM staff will strive to make decisions in the RMP compatible with the existing plans and policies of adjacent local, state, and Federal agencies and local American Indian tribes, as long as the decisions are consistent with the Legislation.
- BLM staff will work cooperatively and collaboratively with cooperating agencies and all other interested groups, agencies, local governments, tribes, and individuals.
- The planning process will provide for ongoing consultation with American Indian tribal governments and the public regarding strategies for protecting recognized traditional uses and heritage resources if such are subsequently identified within the Monument.
- Broad-based public participation and collaboration will be an integral part of the RMP process.
- In the RMP, the BLM will recognize the State's responsibility and authority to manage wildlife. The BLM will coordinate with the New Mexico Department of Game and Fish.
- The RMP will recognize valid existing rights.
- The RMP will incorporate, where applicable, management decisions brought forward from existing planning documents.
- The BLM will consider public welfare and safety when addressing recreational target shooting, hazardous materials, and fire management.

- The Wilderness Study Area (WSA) will continue to be managed pursuant to FLPMA Section 603(c) and the BLM *Management of Wilderness Study Areas, Manual 6330*, until Congress either designates all or portions of the WSA as wilderness or releases the lands from further wilderness consideration.
- Where practical and timely for the planning effort, the best available scientific information, research, and new technologies will be used.
- Geographic Information System and metadata information will meet Federal Geographic Data Committee standards, as required by Executive Order 12906. All other applicable BLM data standards will also be followed.
- Local Fire Management Plan(s) will provide specific implementation strategies, evaluation criteria and accomplishment reporting as referenced in the fire management portion of the RMP.
- Planning and management direction will focus on the relative values of resources and not the combination of uses that will give the greatest economic return or economic output.
- Actions must comply with all applicable laws and regulations and must be reasonable, achievable, and allow for flexibility while supporting adaptive management principles.
- The RMP will identify specific goals, objectives, and actions for the use, conservation, protection, interpretation and possible restoration of the Monument's resources.
- The RMP will identify Best Management Practices (BMPs) or mitigation measures to be applied to existing uses and planned uses to ensure protection of the Monument's resources, objects, and values.

As stated in the BLM Instruction Memorandum No. 2009-215:

*... "according to Section 302(a) of FLPMA, the National System of Public Lands is to be managed under the principles of multiple use and sustained yield except that where a tract of such public land has been dedicated to specific uses according to any other provisions of law it shall be managed in accordance with such law."*

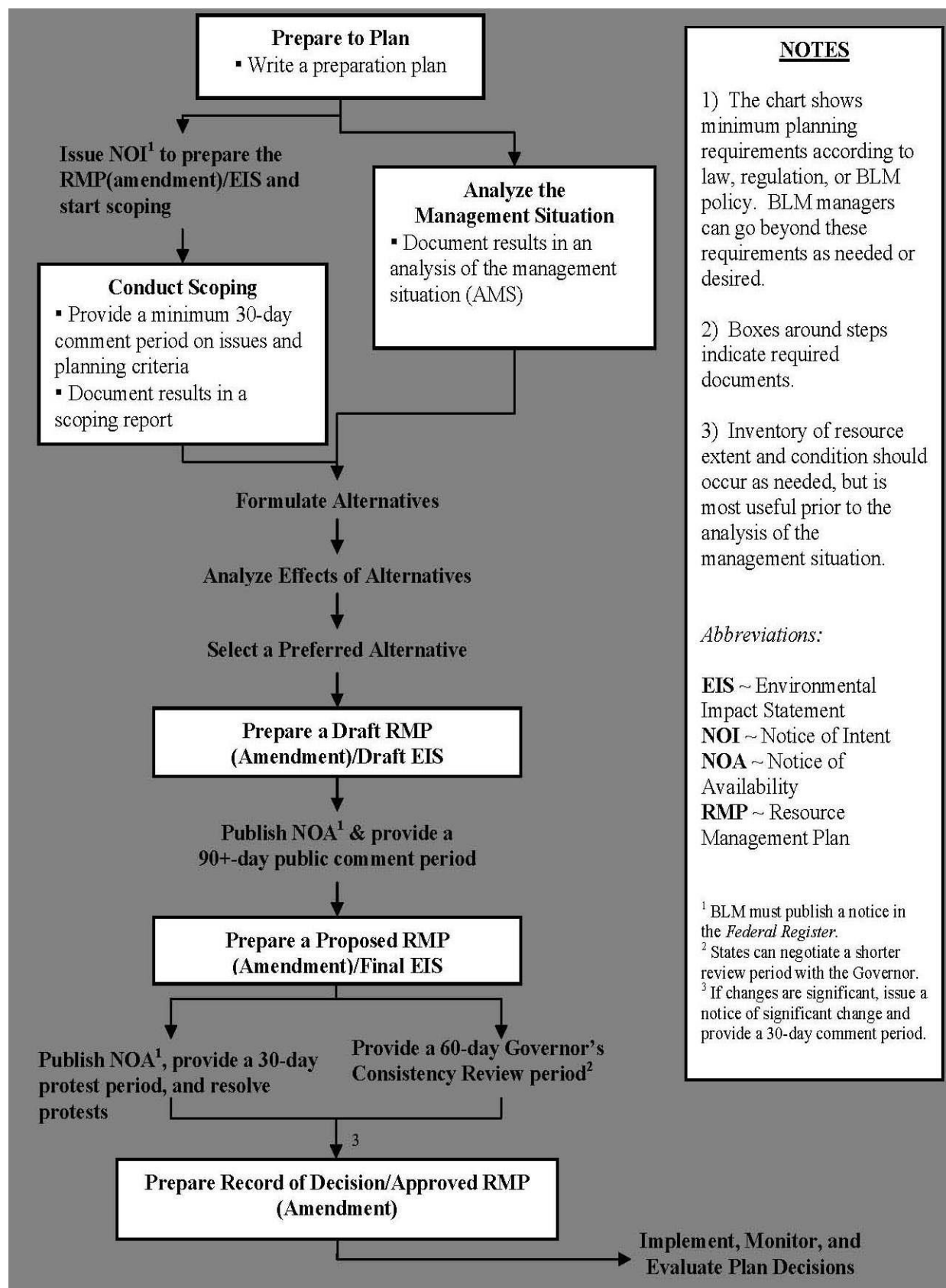
When an area of public land is set aside by an Act of Congress, the designating language is the controlling law. Therefore, as a general rule, if the management direction of the designating Legislation conflicts with FLPMA's multiple-use mandate, the designating Legislation supersedes that portion of FLPMA.

## 1.6 PLANNING PROCESS

The RMP process follows ten steps according to the BLM *Land Use Planning Handbook, H-1601* (see Figure 1-1). These steps allow the BLM to act in accordance with NEPA and FLPMA.

NEPA requires that those actions whose effects are expected to be significant and are not fully covered by an existing EIS be analyzed in a new EIS. Approval of an RMP is considered a Federal action that normally requires the preparation of an EIS. The public is encouraged to participate throughout the RMP

Figure 1-1 Planning Process



process, and the BLM is mandated to support and allow for public participation and review. This process also requires the expertise of an interdisciplinary team of resource specialists to complete each step.

FLPMA mandates the BLM to prepare and maintain a current inventory of public land and its resources and values. It also mandates the BLM to develop, maintain, and where appropriate revise land use plans for the public land. Section 202 of FLPMA states that land use plans must observe and use the principles of multiple-use and sustained yield, use a systematic interdisciplinary approach, give priority to Areas of Critical Environmental Concern (ACECs), rely on the available inventory of public land, consider present and potential uses, consider the scarcity of the values involved, weigh the long- and short-term benefits, comply with applicable laws and regulations, and coordinate with state and local governments.

The designating Legislation also states that a comprehensive management plan for the long-term protection and management of the Monument shall be developed.

Development of the PTNM RMP followed the BLM land use planning process as outlined in the BLM *Land Use Planning Handbook (H-1601-1)*. Below is a description of the steps of the process and how those steps were taken with respect to the PTNM RMP.

#### *Step 1: Prepare to Plan*

In January 2010, the BLM finalized the PTNM Preparation Plan. This Preparation Plan was developed to identify the preliminary planning issues and management concerns, identify data needs, identify potential cooperating agencies and public scoping opportunities, and create a schedule and budget.

#### *Step 2: Issue Notice of Intent*

On January 5, 2010, a Notice of Intent (NOI) was published in the *Federal Register* (Volume 75, Number 2, Pages 431-432), which notified the public of the BLM's intent to prepare the RMP/EIS and to begin public scoping.

#### *Step 3: Scoping*

The BLM held one formal scoping meeting in Las Cruces on January 26, 2010 to share information about the Monument, preliminary issues, and the planning process. The BLM asked the public for comments and suggestions regarding the management and interpretation of the natural, cultural, recreational, and scientific resources within the Monument. The initial formal scoping period closed on February 10, 2010. The results of the public scoping are found in the Scoping Report, Appendix F.

#### *Step 4: Analysis of Management Situation*

The BLM analyzed available inventory data, portrayed the existing management situation, and identified management opportunities to respond to identified issues, which are presented in the *Analysis of Management Situation* (AMS). The AMS is the basis for formulating reasonable alternatives, and identifying the resources suitable for development or protection. This analysis also results in identification of the "No Action Alternative" - the baseline (current) management condition, which includes the Monument Legislation.

#### *Step 5: Formulate Alternatives*

The BLM planning regulations (43 CFR 1610.4-2) require development of planning criteria to guide preparation of an RMP. Planning criteria are the standards, rules, and other guidelines developed by



managers and interdisciplinary teams, with public input, for use in forming judgments about plan-level decision making, analysis and data collection. These criteria are used to establish the parameters or ground rules for making planning decisions and simplifying RMP actions. The criteria may be adjusted during RMP development based on management concerns and the results of public scoping.

Four alternatives are presented and analyzed in the RMP/EIS. These alternatives address planning issues identified by the Legislation and during both internal and external scoping and they meet the goals and objectives developed by the interdisciplinary team. In compliance with NEPA, CEQ regulations, and BLM planning policy and guidance, the alternatives are reasonable and can be implemented. These alternatives are described in detail in Chapter 2.

#### *Step 6: Analyze Effects of Alternatives and Select a Preferred Alternative*

The resulting physical, biological, economic, and social impacts from implementation of each of the alternatives have been predicted and assessed in Chapter 4. The District Manager evaluated the alternatives and estimated impacts. The District Manager then identified Alternative C as the preferred alternative and made this recommendation to the State Director.

#### *Step 7: Preparation of the Draft RMP/EIS*

The resulting *Draft RMP/EIS* was distributed for a 90-day public review and comment period. In addition to the public comment period, a public meeting was held by the Las Cruces District Office in Las Cruces, New Mexico on August 7, 2012.

#### *Step 8: Preparation of the Proposed RMP/Final EIS*

After the comment period, the BLM evaluated comments and updated the RMP/EIS. The District Manager has recommended a proposal to the State Director, who has selected an alternative or a mixture of alternatives, which is published in this *Proposed RMP/Final EIS*. Publication of this *Proposed RMP/Final EIS* will start a 60-day Governor's Consistency Review and a 30-day protest period.

#### *Step 9: Approval of the Record of Decision and Approved RMP*

Following resolution of any protests on the *Proposed RMP/Final EIS*, the BLM New Mexico State Director will make a final decision regarding the selection of an alternative. The Approved RMP and Record of Decision (ROD) will be published.

Unlike land use planning decisions, implementation decisions included in this *Proposed RMP/Final EIS* are not subject to protest under the BLM planning regulations, but are subject to an administrative review process, through appeals to the Office of Hearings and Appeals, Interior Board of Land Appeals pursuant to 43 CFR, Part 4 Subpart E. Implementation decisions generally constitute the BLM's final approval allowing on-the-ground actions to proceed. Where implementation decisions are made as part of the land use planning process, they are still subject to the appeals process or other administrative review as prescribed by specific resource program regulations once the BLM resolves the protests to land use planning decisions and issues an Approved RMP and ROD. The Approved RMP and ROD will therefore identify the implementation decisions made in the plan that may be appealed to the Office of Hearing and Appeals.

### *Step 10: Implementation and Monitoring of Planning Decisions*

The BLM will formulate an implementation and monitoring plan after the RMP is finalized. This will provide for periodic evaluations (minimum every 5 years) to determine if management and mitigation measures are satisfactory for the resources. This will allow the BLM to detect any issues early on or to ensure that management goals are being met.

## 1.7 COLLABORATION

### Tribal Consultation

American Indian tribes have a long history of collaboration with BLM in planning and managing cultural resources. Letters inviting participation in the planning process as cooperating agencies were sent in February 2010 to the following seven tribes: Fort Sill Apache Tribe of Oklahoma, Comanche Indian Tribe, White Mountain Apache, Pueblo of Ysleta del Sur, Pueblo of Isleta, Mescalero Apache Tribe, and Navajo Nation. In September 2011, three additional tribes were invited to participate as cooperating agencies: Pueblo of Acoma, the Pueblo of Laguna and the Pueblo of Tesuque. No tribe has accepted the invitation to be a cooperating agency.

### Cooperating Agencies

By definition, a cooperating agency is any Federal, state, or local government agency or Indian tribe that has either jurisdiction by law or special expertise regarding environmental impacts of a proposal. A Cooperating Agency Agreement is a formal framework for governmental units to engage in active collaboration with the lead Federal agency during the NEPA process. In January and February 2010 and September 2011, letters were sent to the following agencies inviting recipients to become a cooperating agency for this project: City of Las Cruces, Doña Ana County, New Mexico State Parks, New Mexico Museum of Natural History and Science, and the New Mexico Department of Game and Fish. Formal status for cooperating agency was not been requested by any invited party. The State Historic Preservation Office was notified of the planning process, as required by section 106 of the National Historic Preservation Act.

### Other Stakeholder Relationships

Various groups not defined as cooperating agencies have worked with the BLM and provided valuable information: Las Cruces Museum of Nature and Science, Las Cruces Four-Wheel Drive Club, New Mexico State University, Paleozoic Trackways Foundation, Smithsonian Institution, and New Mexico Museum of Natural History & Science

## 1.8 RELATIONSHIP TO OTHER PLANS

The BLM must ensure that land use plans are as consistent as possible with existing officially adopted related plans, policies or programs of other Federal and state agencies, Indian tribes, and local governments that may be affected (43 CFR 1610.3-1(d)(1)). These plans were reviewed as required to determine whether they were relevant to the development of the Monument RMP. A summary of those plans that affect the same land as the Monument are as follows:

## Federal

The *Mimbres RMP*, as amended, approved in April 1993, currently provides general guidance on a landscape level for management in Doña Ana, Grant, Hidalgo, and Luna Counties. The *PTNM RMP* will supersede the *Mimbres RMP* for the Monument and provide the framework and prescriptions to implement Legislative directives. The document identifies the current management situation, the desired future conditions to maintain or achieve, and the management actions needed to achieve these objectives. Following completion of the *PTNM RMP*, the BLM Las Cruces District Office staff will develop an implementation plan. The *Mimbres RMP* for Doña Ana County is currently under revision and will be known as the *TriCounty RMP*. The *TriCounty RMP* does not analyze the PTNM nor will it modify decisions made in the *PTNM RMP*.

The Las Cruces District Fire Management Plan provides specific implementation strategies as referenced in the fire management portion of the RMP. *Standards for Public Land Health and Guidelines for Livestock Grazing Management* (BLM 2001) amends the *Mimbres RMP* and is the underlying guidance for livestock grazing decisions on BLM land in the Monument and throughout BLM land in New Mexico. Decisions from these plans are specifically addressed in the existing management guidance and alternatives.

## State and Local Government Plans

This RMP is consistent with the following resource related plans of State and local governments:

- *Doña Ana County, New Mexico Natural Events Action Plan Reevaluation 2005*
- *Statewide Comprehensive Outdoor Recreation Plan (SCORP)*
- *New Mexico Historic Preservation Plan*
- *The 2006 Comprehensive Wildlife Conservation Strategy*
- *2000 City of Las Cruces Extraterritorial Zoning Comprehensive Plan 2000-2020*
- *2005 Las Cruces Metropolitan Planning Organization Transportation Plan*
- *2004 Rio Grande Riparian Ecological Corridor Project Report*
- *Vision 2040 Regional Planning Project- City of Las Cruces and Doña Ana County*

A summary description of the relevancy and consistency of these plans is found in Chapter 5.

## 1.9 MONUMENT RESOURCES, OBJECTS, AND VALUES

The BLM refers to the values described in the PTNM designating Legislation as Monument Resources, Objects, and Values (ROVs). The BLM's management approach must reflect the direction from Congress to conserve, protect, and enhance the Monument ROVs in accordance with FLPMA and other appropriate laws as a component of the National Landscape Conservation System. The PTNM was designated to “*protect the unique fossil resources for present and future generations*” and Congress directed the BLM to “*conserve, protect, and enhance the unique and nationally important paleontological, scientific, educational, scenic, and recreational resources and values.*” Where ROVs are described in the designating legislation in broad categories, BLM identifies the specific resources that fall into those categories. The BLM has interpreted the Prehistoric Trackways National Monument ROVs to be the following:

**Paleontological:** Fossil resources are predominantly Permian Age fossil material, but may be expanded to encompass subsequent discoveries.

**Scientific:** Science-based research conducted on paleontological and geologic resources, especially Permian Age fossils and their geologic context.

**Educational:** Educational and interpretive opportunities on the Permian fossils.

**Recreation:** Recreational uses related to the enjoyment, appreciation, and protection of the fossil resources and their geologic context.

**Scenic:** The distinct geologic exposures of the Robledo Mountains in the context of the Permian fossils.

Alternatives and management decisions proposed in the *PTNM RMP/EIS* reflect direction from Congress in the Prehistoric Trackways National Monument designation within the *Omnibus Public Lands Management Act of 2009*. The BLM RMP process is influenced by administrative directives found in the Act (Sec. 2104) (See Appendix A). The directives provide important parameters for selecting and framing Alternatives in Chapter 2.

#### Prehistoric Trackways National Monument Directives

- Provide for public interpretation of, and education and scientific research on, the paleontological resources of the Monument.
- Enter into cooperative management agreements or other instruments with interested parties or agencies, as appropriate, to coordinate and collaborate management of the Monument.
- Continue to manage that portion of the Robledo Mountains WSA within the Monument.
- Continue to manage that portion of the Robledo Mountains ACEC within the Monument.
- The use of motorized vehicles in the Monument shall be allowed only on roads and trails designated in this plan for use by motorized vehicles.
- Subject to valid existing rights, close the Monument to entry, appropriation, or disposal under the public land laws.
- Subject to valid existing rights, close the Monument to location, entry, and patent under the mining laws; and the operation of the mineral leasing laws, geothermal leasing laws, and mineral materials laws.

## 1.10 MISSION STATEMENT AND OVERALL VISION

The PTNM is a unit of the BLM National Landscape Conservation System (NLCS). The mission of the NLCS is to conserve, protect, and restore Nationally-significant landscapes that are recognized for their outstanding cultural, ecological, and scientific values. The PTNM was designated in order to conserve, protect, and enhance the unique and Nationally-important paleontological, scientific, educational, scenic, and recreational resources and values of the public land.



The Prehistoric Trackways National Monument preserves a moment in time when the world was poised on the brink of cataclysmic change that would usher in the era of the dinosaurs. Our vision is to tell this story to the Nation through education and interpretation, and through scientific research. The BLM will maintain the rugged and scenic setting while providing opportunities for recreationists to enjoy these lands now, and for future generations, while ensuring the sustainability and protection of the paleontological resources. We will work collaboratively with partners to optimize Monument management which will enhance our ability to serve the public and meet the needs of the Monument resources, objects, and values.

## 1.11 CHANGES FROM THE DRAFT RMP/EIS

Changes in the *Proposed RMP/Final EIS* were prompted primarily by public comment. Public comments are reproduced in Appendix H. In Appendix H, the response to substantive comments will direct the reader to changes throughout the document. Extensive internal reviews of the *Final EIS* have also led to corrections, revisions, updates, and other improvements to the document. Acreage figures and associated quantifications have also been revised throughout the document to reflect public input and staff review.

The BLM also considered whether the *Draft RMP/EIS* warranted supplementation (see BLM *National Environmental Policy Act Handbook 1790-1* Section 5.3 for details on supplementing an EIS). The Prehistoric Trackways National Monument *Draft RMP/EIS* does not require the issuance of a supplemental EIS because no substantial changes were made to the proposed action, no new alternatives outside the spectrum of alternatives already analyzed were proposed, no significant new circumstances arose, and no new significant information was provided.

Since the *Draft PTNM RMP/EIS* was published, the BLM has issued new guidance for land use planning in National Monuments -- *Manual 6220-National Monuments, National Conservation Areas, and Similar Designations* (USDOI BLM 2012). This guidance directs the BLM to identify management actions, allowable uses, restrictions, management actions regarding any valid existing rights, and mitigation measures to ensure that the resources, objects, and values are protected. This *Proposed Final RMP/EIS* adopts the new guidance. The BLM has refined the list of Monument Objects, re-phrased goals and objectives to better match the new guidance, and re-analyzed impacts to resources and resource uses under the new framework.

- The Alternatives were not changed from the *Draft RMP* to the *Proposed Final RMP*. In many cases, wording may be slightly different but the concepts were left intact.
- Research Management did not vary through the Alternatives. It was decided by BLM staff that the Goals, Objectives, and Management Common to All Alternatives would better describe and support Paleontological Resources. These sections of Research Management are now found under Paleontological Resources in Chapter 2.
- After the *Draft RMP* was published, the BLM obtained legal access to PTNM. Most references to obtain legal access have been removed, but the BLM will continue to seek other means of access if needed.